

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE WESTERN DISTRICT OF PENNSYLVANIA

3 JAMES C. SHERROD,
4 Plaintiff

5 v.

6 BOOKER T. WASHINGTON CENTER,
7 Defendant

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Civil Action NO. 04-208 Erie

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9 Deposition of WILLIAM JEFFRESS, taken before
10 and by Sondra A. Black, Notary Public in and for the
11 Commonwealth of Pennsylvania, on Wednesday, July 27,
12 2005, commencing at 9:36 a.m., at the offices of
13 Susmarski Law Office, 4030 West Lake Road, Erie,
14 Pennsylvania 16505.

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17 For the Plaintiff:

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 Reported by Sondra A. Black
 Ferguson & Holdnack Reporting, Inc.

1 Q. So when you received notice of this meeting, which
2 you've stated you believe was by phone, what were you told
3 would be the purpose of this meeting?

4 A. The Booker T. Washington Center right now has a
5 situation that happened, and we need to have a board meeting
6 to discuss the situation.

7 Q. What situation was being referred to?

8 A. The situation that was being referred to a young
9 lady who was left at a movie theater, and from a public
10 standpoint it looked as if the Booker T. Washington Center
11 was negligent, and we needed to know how we were going to be
12 acting.

13 Q. Now, prior to August of 2002 -- let me withdraw the
14 question. Were you aware that Mr. Sherrod was on vacation in
15 August of 2002?

16 A. I can't say I was aware he was on vacation, but I
17 did know that we both were going to do something that
18 weekend.

19 Q. What weekend are you referring to?

20 A. The week -- there was -- basically, I believe, that
21 some of this took place like either a Monday or a Tuesday,
22 and I know that Mr. Sherrod and I met, probably on a
23 Wednesday or a Thursday, to talk about our plans to -- for
24 the management committee. And then we said, well, we'll get
25 together back when we -- you know, when we come back because

1 I told him I was going to Connecticut at that time. When I
2 got back from Connecticut, I got a phone call we were going
3 to have a meeting, and I showed up at the meeting.

4 Q. So you were out of town when this incident involving
5 the little girl occurred?

6 A. I believe I was out of town. If I was in town, I
7 wasn't aware of it because I probably wasn't watching the
8 news. But I believe I was out of town, yes.

9 Q. Would it be helpful for you to know that this
10 incident involving the little girl occurred on August the
11 6th, 2002?

12 A. And that day was a Thursday? A Monday? A Tuesday?

13 Q. It was a weekday.

14 A. Right.

15 Q. So you said you had a prior conversation with
16 Mr. Sherrod and that both of you were planning something.

17 A. Correct.

18 Q. And prior to leaving you had gotten together to
19 discuss the management committee business.

20 A. Correct. And our -- what we were going to be doing
21 in the future.

22 Q. Now, did you know how long Mr. Sherrod would be away
23 from the agency?

24 A. No, I did not.

25 Q. Was it board policy that when Mr. Sherrod was away

1 from the agency for an extended period of time that the
2 controller, Brian Bessetti --

3 MR. MARTINUCCI: Bessetti.

4 Q. Bessetti, I'm sorry. Would be in charge?

5 A. I don't think -- I don't know any policy that was
6 anything like that.

7 Q. You don't recall any such policy?

8 A. No.

9 Q. Is there a possibility that was a policy and you
10 simply were not aware of it?

11 A. That's a possibility.

12 Q. Would you describe for us the role of Mr. James
13 Hamilton, the president of the board of directors.

14 A. That would be outlined in the bylaws of what the
15 president's role would be, wouldn't it?

16 Q. Well, let me ask you this question here. You came
17 on the board in January of '02?

18 A. Yes.

19 Q. Was Mr. Hamilton present for every board of
20 directors' meeting?

21 A. No.

22 Q. From January of '02 until August -- the end of
23 August of '02, would it be correct to say that Mr. Sean
24 Coleman pretty much ran the board of directors' meetings?

25 A. Yes.

1 Q. From January of '02 to, let's say, the end of August
2 of '02, would it be correct to say that Mr. Sean Coleman
3 showed up at the Booker T. Washington Center on almost a
4 daily basis?

5 A. I wouldn't know that.

6 Q. Beginning in August of '02, when is the first time
7 that you learned of this incident involving the little girl?

8 A. When I was notified of the board meeting.

9 Q. Now, when you appeared for this board of directors'
10 meeting, was there an agenda for the meeting?

11 A. I don't recall.

12 Q. At this meeting did the board of directors receive
13 any reports, including the incident involving the little girl
14 on August the 6th of '02?

15 A. I don't believe we received any written reports.

16 Q. Did you receive any oral reports?

17 A. During the meeting we did ask for an update of what
18 was going on, yes.

19 Q. Who did you receive that report from?

20 A. Mr. Sherrod.

21 Q. Now, was Mr. Hamilton in charge of this particular
22 meeting?

23 A. I'm not even sure if Mr. Hamilton was there. I
24 don't think he was there.

25 Q. As best as you can recall, was Mr. Coleman there?

1 A. Yes, Mr. Coleman was there.

2 Q. Was Mr. Coleman there running the meeting?

3 A. It's hard to say. I don't -- I don't recall whether
4 or not he called the meeting to order or who called. There
5 was several people talking at the time.

6 Q. Who was managing the meeting?

7 A. I honestly don't recall.

8 Q. There was no one trying to maintain order in this
9 meeting?

10 A. Like I said, we had 12, or whatever, people on
11 the -- in the room. Basically it was just a meeting of
12 professional people getting together and having a
13 conversation, in my book, and I don't know if anyone in
14 particular took a lead. But I do know that there were
15 discussions during the meeting and reference to the event.

16 Q. And, to your knowledge, there was no written report
17 given to the board of directors at this meeting?

18 A. To my knowledge, no.

19 Q. Is there anyplace that you can look to confirm
20 whether any documentation, any report, in writing, was given
21 to the board of directors at this meeting?

22 A. I don't recall of any document being given, and
23 therefore, I couldn't have an idea of --

24 Q. Who did the board of directors receive its
25 information from?

1 A. Mr. Sherrod.

2 Q. Now, would you describe Mr. Sean Coleman's role in
3 this meeting.

4 A. His role in the meeting was the role of a board
5 member, just having a discussion.

6 Q. What information, if any, did he provide to the
7 board of directors?

8 A. He provided, I guess, the information that --
9 what -- what his actions were during this time, and what his
10 knowledge of the situation was.

11 Q. So what did he say was his actions?

12 A. He basically said that -- I can't recall exactly
13 what he said. All I know is that he just gave an account of
14 his knowledge of what took place. What he knew about what
15 took place with the girl. What he knew about whether or not
16 she got home. Whether or not she -- you know, who was at the
17 place. Who he talked to possibly. It was just a recount of
18 what had happened, I believe.

19 Q. Now, other than the board of directors, were there
20 anyone else present at this meeting?

21 A. I believe Mr. Bessetti was called in eventually. I
22 believe. And possibly Ms. Smith was called in. I'm not
23 sure, though. I've had a number of meetings.

24 Q. At what time did this meeting take place?

25 A. I'm not sure, but I'm going to say it's possible

1 that it could be noon.

2 Q. And at what time would you say Mr. Bessetti was
3 called in?

4 A. Probably 40 minutes after.

5 Q. And Ms. Smith?

6 A. I don't recall what time she was called in or
7 anything else, but --

8 Q. Were they called in together or separately?

9 A. I don't recall.

10 Q. Now, did the board receive any reports from staff
11 about the incident of August the 6th?

12 A. I'm not sure.

13 Q. Did the board talk with any staff about the incident
14 of August the 6th?

15 A. We talked to Mr. Bessetti during that meeting, I
16 believe, or asked him a question or two.

17 Q. How long did the meeting go on?

18 A. I don't recall. No more than two hours I'd say. No
19 less than an hour.

20 Q. So you estimated from about noon to 2:00?

21 A. No more than that time.

22 Q. Now, you said Mr. Sherrod was in this meeting. Was
23 he in this meeting the entire time?

24 A. No.

25 Q. Were you in the meeting the entire time?

1 A. No.

2 Q. At some point did Mr. Sherrod go to his office?

3 A. Yes.

4 Q. Did you follow him into his office?

5 A. Yes.

6 Q. At that time did Mr. Sherrod tell you that he was
7 not resigning as executive director of the Booker T.
8 Washington Center?

9 A. No.

10 Q. He never told you he wasn't resigning?

11 A. Our conversation was, James, what's going on. This
12 is crazy.

13 Q. That's what you're saying?

14 A. That's what I said to him. He basically said,
15 they've been after me for a long time. I said, what do you
16 mean. He said, they've -- they've -- you know, they've been
17 after me for a very long time, and I'm just tired of it. I'm
18 sick and tired of it. I don't want to deal with it anymore.
19 I said, do you know what you just did. He said, I'm just
20 sick and tired of it. I don't even want to talk about it.
21 I'm tired.

22 Q. Now, at that time did you ask Mr. Sherrod for his
23 keys to the Booker T. Washington Center office building?

24 A. I'm not sure. I don't know if it was that day. I
25 think we received keys at a later time.

1 Q. You didn't receive them personally?

2 A. I'm not sure how the keys took place.

3 Q. So you're not sure whether you received the keys
4 from Mr. Sherrod personally?

5 MR. MARTINUCCI: On that date?

6 MS. BENSON: On that date.

7 A. That part, like I said, is not clear. If I did
8 receive any keys, they -- you know -- again, I don't really
9 recall that.

10 Q. Is it possible that you asked Mr. Sherrod for his
11 keys on that date when you followed him into the office?

12 A. It's possible that Mr. Sherrod said, here's the
13 keys, but I don't think I asked him for the keys.

14 Q. Is it possible that you asked him for the keys?

15 A. I don't think I asked Mr. Sherrod for the keys.
16 That was not my intent of walking into the office.

17 Q. I want to get back to who was running the meeting
18 that day. Who was running the meeting on that day?

19 A. I'm not sure.

20 Q. Can you recall? I realize you may not be sure, but
21 can you, to the best of your ability, recall who was running
22 the meeting that day?

23 MR. MARTINUCCI: Bill, you can answer, but just for
24 the record, that's been asked and answered about
25 five times now.

1 A. Correct.

2 Q. When you were removed from the board of directors,
3 was that in writing?

4 A. I don't know.

5 Q. Is there any minutes that reflect your removal?

6 A. I'm not sure.

7 Q. When did you express an interest in helping the
8 Booker T. Washington Center in a capacity other than as a
9 member of the board of directors?

10 A. My -- I was in the capacity of a board member when I
11 expressed an interest in helping Booker T. Washington Center
12 through this situation.

13 Q. When was that?

14 A. That was when I had a conversation with Mr. Sherrod.

15 Q. When did this conversation occur?

16 A. This conversation took place after the incident,
17 after Mr. Sherrod had said he resigns, and basically my
18 conversation with Mr. Sherrod was, this is terrible. We need
19 to basically be able to move forward. I'm not saying --
20 can't be passing judgment on who's right or who's wrong, but
21 we need to get through this for the organization. Can we
22 work something out in terms of, if the board doesn't want you
23 executive director, then we need to look at your future as
24 well as the organization's future, and I'm willing to work
25 between you and the board to see how we can make this thing

1 work out.

2 If you need to move on and the organization moves
3 on, then I'm willing to work that -- that may take a year,
4 that may take six months, or that may take until the time you
5 find other employment. But if you can come back as taking --
6 with your responsibilities and help this organization through
7 a transition period, I'll work with the board and bring that
8 back to the board. Just as long as we can all move forward
9 and get through this.

10 Q. When did you have this conversation with
11 Mr. Sherrod?

12 A. I don't know the exact date, but I believe it's
13 about maybe a week or -- week or so after the incident.

14 Q. When you say -- the incident or this board meeting
15 that you previously described?

16 A. The incident --

17 Q. The incident was August 6, 2002.

18 A. And the board meeting was probably on a Monday, I
19 believe. Again, I don't have anything in front of me. I
20 don't know what August 6th was back in 2002. But if you look
21 at it after the incident, after the board meeting, the
22 question came down to did Mr. Sherrod resign. Says, yes.
23 Well, he hasn't turned in his resignation. Well, I'll go
24 talk to him to see what's going on. That's when I had the
25 conversation with him. I said, listen, bottom line comes

1 down to, I don't know what the history is, but the
2 organization needs to move forward, you need to move forward,
3 I know you got to think about your employment. How can we do
4 this. Can we do this transition. And you never know, by the
5 time we get through this, maybe some of the stuff will have
6 died down.

7 And at that time we were having a conversation, Mr.
8 Sherrod said to me, well, I want people to know my side of
9 the story because people are giving the wrong side of the
10 story here, and I want people to know what I'm saying. And I
11 believe it was Mr. Flowers at that time wanted to interview
12 him for a newspaper to get his side of the story. I said,
13 James, if I were you, I wouldn't do it. I said, I think we
14 can move forward with this. He said, well, I'll think about.
15 I'll see what to do.

16 The next day, basically the newspaper article came
17 out -- because I had called some of the board members and
18 said, listen, I think we'll be able to work through this.
19 The next day the newspaper article came out, and they said, I
20 thought you said we were going to be able to work through
21 this. I thought you said James was on board with trying to
22 work through this. I said, I thought so, too. When I left
23 him, he -- he gave me the indication he wasn't going to do
24 the article, and then he responded in the article.

25 At that time, when I did get to see the article, I

1 contacted James and said, what's going on. He said, I just
2 wanted my side to be out. I said, okay, but now everything
3 we talked about, my hands are tied with the board. I can't
4 do much with them because that's it. And that's how that
5 took place. So that was my initial, answering your question,
6 on how I got involved with trying to work through the
7 transition.

8 MR. MARTINUCCI: Just for everybody's benefit,
9 August 6th was a Tuesday, 2002; August 12th was a
10 Monday in 2002.

11 Q. Going back to the question of when did you show this
12 interest in this transitional role. Can you narrow that down
13 as to when you expressed an interest in playing this
14 transitional role?

15 A. I thought I just did. That's when I expressed an
16 interest.

17 Q. So it was after the August 12th board meeting?

18 A. Correct. It was after my meeting -- I only -- I
19 didn't even express an interest to the board. I expressed an
20 interest to resolve the problem with Mr. Sherrod.

21 Q. I want you to take a few moments and read what will
22 become Exhibit No. 2.

23 (Jeffress Deposition Exhibit No. 2 marked for
24 identification.)

25 A. (Witness reviewed document.)

1 ample time to make an assessment of any of his skills or
2 abilities.

3 Q. How long would it take you to have to do that?

4 A. I told you -- basically, ask my wife. It takes me
5 five years to get to know somebody.

6 Q. Five years?

7 A. I told my wife the first day I met her, five years.
8 Then I married her.

9 Q. So you formed not even preliminary opinions until
10 you've known somebody for five years?

11 A. Like I said before when you asked me about my
12 preliminary opinion, I said that we were part of the same
13 fraternity, he must be a good man.

14 Q. And until August 12, 2002, you had no reason to
15 question Mr. Sherrod's performance, did you?

16 A. Correct.

17 MS. BENSON: I have no further questions.

18

19 CROSS-EXAMINATION

20 BY MR. MARTINUCCI:

21

22 Q. Bill, I have just a couple of quick questions for
23 you. First of all, this is going down on a written
24 transcript, not a video transcript, so these questions are
25 going to sound silly, but ultimately they'll be important.

1 What is your race?

2 A. African American.

3 Q. What is your color?

4 A. Black.

5 Q. To your knowledge, is Mr. Sherrod also an African
6 American?

7 A. Yes.

8 Q. Is he also black?

9 A. Yes.

10 Q. What about Mr. Coleman?

11 A. Yes.

12 Q. To both?

13 A. He's black and African American, correct.

14 Q. Now, did you ever recommend support or take any
15 action against Mr. Sherrod because of his color?

16 A. No.

17 Q. What about because of his race?

18 A. No.

19 Q. Did you ever recommend, support, or take any action,
20 or not take any action, against Brian Bessetti or Anita Smith
21 because of their race?

22 A. No.

23 Q. With regard to that same series of questions, did
24 you ever do anything with regard to Mr. Sherrod because of
25 his color?

1 A. No.

2 Q. What about with regard to doing or not doing
3 anything concerning Mr. Bessetti or Ms. Smith because of
4 their color?

5 A. No.

6 Q. To your knowledge, has anybody taken any action
7 against Mr. Sherrod because of his race or color?

8 A. No.

9 Q. To your knowledge, has anybody not taken any action
10 between Mr. Bessetti or Ms. Smith because of their color?

11 A. No.

12 Q. What about because of Mr. Sherrod's race?

13 A. No.

14 Q. What about because of Mr. Bessetti's race?

15 A. No.

16 Q. What about because of Ms. Smith's race?

17 A. No.

18 Q. The three employees that were fired, that was Lester
19 Howard, Renee Coates-Smith, and Derek --

20 A. Coleman?

21 MS. BENSON: Johnson.

22 MR. MARTINUCCI: Johnson. Thank you. I thought
23 that was it, but I wasn't sure.

24 Q. Those were all African Americans?

25 A. Yes.

1 Q. Who fired them?

2 A. To my knowledge, Mr. Sherrod.

3 Q. Now, was it part of his responsibility, as the
4 executive director, to make those decisions?

5 A. Yes.

6 Q. With regard to Mr. Bessetti as the controller, whose
7 decision would it have been to take action against him?

8 A. Mr. Sherrod's.

9 Q. Are you aware of any allegation that anybody on the
10 board of directors told Mr. Sherrod not to take action
11 against Mr. Bessetti?

12 A. I'm not aware of any allegations.

13 Q. There was some question as far as whether or not the
14 use of the word nigger in a conversation between two black,
15 African-American males would raise a red flag to you. It was
16 your testimony that it would not.

17 MS. BENSON: Objection. It's irrelevant.

18 MR. MARTINUCCI: That's fine.

19 Q. You can go ahead and answer the question.

20 A. In the context, like I said, in terms of the
21 terminology or anything else, coming from an African-American
22 male, it could have been just a terminology that he was using
23 to describe something. I was -- I did not take it as being
24 discriminatory in terms of when it was brought to my
25 attention. And it was not actually being communicated as

1 discriminatory. It was being communicated as this was what
2 was said.

3 Q. Did Mr. Sherrod ever complain to you that he felt he
4 was being discriminated against on the basis of his race or
5 his color?

6 A. Not to my --

7 MS. BENSON: What time period are you referring to?

8 MR. MARTINUCCI: Any time period.

9 Q. Let me put it this way: Any time period before the
10 filing of the EEOC charge, did Mr. Sherrod ever complain to
11 you about being discriminated against on the basis of his
12 race or color?

13 A. No.

14 MR. MARTINUCCI: I have no further questions.

15 MS. BENSON: Just a few follow-up questions.

16

17 REDIRECT EXAMINATION

18 BY MS. BENSON:

19

20 Q. You previously testified that you came on the board
21 in January 2002. From January 2002 to August, before August
22 12, 2002, had the board of directors dealt with any personnel
23 matter?

24 A. Not to my knowledge.

25 Q. Now, are you aware that the board of directors had

1 indicated to Mr. Sherrod that he needed to inform them or
2 have their support in order to fire someone?

3 A. No.

4 Q. You're not aware of that?

5 A. No. Actually, that's -- actually, that's the first
6 time that's come to my attention.

7 Q. Now, you've just testified with regard to the use of
8 the terminology of nigger. And that sounds so much similar
9 to what Mr. Coleman testified -- how he testified. Did you
10 and he discuss how you would handle that?

11 A. No. I just think that he's, once again, an
12 African-American male, a black male. Basically you can
13 probably pick up three more outside and they'll probably give
14 you the same definition.

15 Q. I doubt that.

16 A. I -- I --

17 Q. Let me go on. You do realize that from most African
18 Americans, probably all African Americans, the word nigger is
19 considered offensive, don't you?

20 MR. MARTINUCCI: I'm going to object to the form of
21 the question. I mean, you're offering an opinion
22 without any empirical support for it.

23 MS. BENSON: Let me go back.

24 Q. You just testified you're an African-American male.

25 A. Yes.

1 Q. And I guess you've heard the word nigger used in an
2 employment context, haven't you?

3 A. I've never been in the employment environment where
4 I've really heard the word used.

5 Q. If Mr. Coleman instructed Mr. Sherrod, in an
6 employment context, to fire those niggers, wouldn't you
7 conclude that he was referring to African Americans and
8 African Americans only?

9 A. No.

10 Q. Have you ever heard a white individual, in an
11 employment context, being described as a nigger?

12 A. Yes.

13 Q. When?

14 A. On several occasions.

15 Q. In an employment context?

16 A. Yes.

17 Q. Where at?

18 A. Gateway Community College, Community Health Net,
19 basically. You know, in terms of -- you said describe --
20 using it in that context, an employment environment, have I
21 ever heard. Now, was it in an employee-related issue or
22 anything else, no. It was outside of the scope of the job.
23 It was an employment context, but the cafeteria.

24 Q. I'm talking about in an employment situation, have
25 you ever heard a white person being referred to as a nigger

1 in employment?

2 A. No. I've never heard a black person being referred
3 to as -- I told you earlier I didn't hear it, but outside of
4 an employee context, yes. That's why I want to make sure I'm
5 clear on what you're asking me. I have heard it -- the
6 description being said, whether you're white, black,
7 Hispanic, or whatever else, I have heard them use the
8 terminology. Now, in an employment context, I haven't heard
9 it, whether you're white, black, or Hispanic.

10 Q. So in an employment context you've not heard it at
11 all?

12 A. No.

13 Q. If, as Mr. Sherrod says, he was instructed by
14 Mr. Coleman to fire those niggers, would you agree that that
15 was in an employment context?

16 A. I wouldn't think that that was an employment context
17 because that's not his responsibility to instruct him to do
18 so. Since -- since I'm aware of that -- what his position
19 is, and I'm aware of what Mr. Sherrod's position is, you can
20 say fire anybody. But I'm just saying that, you know, that's
21 not in an employment context because that's not his
22 responsibility to tell him to fire them.

23 Q. The average individual, wouldn't you say, having
24 heard that would say that he had been instructed to fire
25 those three individuals?

1 MR. MARTINUCCI: Objection. Calls for speculation.
2 That one I'm going to direct you not to answer.
3 You're not even asking for his opinion now. You're
4 asking for the average individual's opinion.

5 MS. BENSON: Let me go back.

6 Q. If you were standing there when he had been given
7 the instruction by Mr. Coleman to fire those niggers, in an
8 employment context --

9 A. So that means we're in the boardroom.

10 Q. No. This means after -- excuse me, let me go back.
11 Are you aware -- you testified earlier that Mr. Coleman
12 participated with Mr. Sherrod in interviewing of Lester
13 Howard, Derek Johnson, and Renee Coates-Smith, right?

14 A. I don't know if I testified that way because, like I
15 said, I wasn't present there. So I don't know whether he did
16 or didn't.

17 Q. Did you learn at any point that Mr. Coleman
18 participated in those interviews?

19 A. I did -- again, I've heard that from -- now I know
20 Mr. Coleman I heard it from, when I interviewed Renee
21 Coates-Smith or something else, it was basically he was
22 there, yes.

23 Q. In fact, you, as chairperson of the management
24 committee, conducted all three appeal hearings, right?

25 A. Yes.

1 Q. So you were aware from their appeal that Mr. Coleman
2 was part of the interviewing process, weren't you?

3 A. I was aware he was present, yes.

4 Q. You were aware that he asked questions?

5 A. Again, I didn't get into that much detail. I wasn't
6 looking at that.

7 Q. Were you aware that he took notes?

8 A. No, I was not.

9 Q. So you handled these three appeals, and you did not
10 find out what his role was in those hearings -- in the
11 interview meetings?

12 A. In my opinion, Mr. Coleman didn't have an opinion --
13 or a role in the termination of those employees. I was not
14 present. I was answering the appeal that they were
15 terminated, not who they were terminated by.

16 Q. Did Mr. Coleman tell you he was present for those
17 interviews?

18 A. I don't know if he came out and said I was present
19 for those interviews, no.

20 Q. So going back to the appeal of Lester Howard, Renee
21 Coates-Smith, and Derek Johnson, Mr. Coleman never revealed
22 to you, as the chair of the management committee, that he was
23 present for those interviews?

24 A. Again, I don't recall him saying to me, I was
25 present during those interviews.

1 Q. In your committee review of those appeals, describe
2 for us Mr. Coleman's role.

3 A. I'm not sure what his role was. His role was a
4 member of the management committee.

5 Q. What did he do in the meetings?

6 MR. MARTINUCCI: During the meetings or during the
7 hearings?

8 MS. BENSON: During the appeal.

9 A. I don't recall, but I -- I believe that in certain
10 instances he did not start out on the meetings, but then he
11 did come in on the meetings because they weren't -- they
12 wanted to basically talk to him.

13 Q. Because?

14 A. The people who were being heard wanted to express
15 their opinions in front of him. So he was called in.

16 Q. Was he called in by you or by them?

17 A. He was called in by me, but it was requested of
18 them.

19 Q. Now, as part of that, did he describe for you his
20 role in the interviewing of all three of these individuals?

21 A. No. I -- he did not describe what his role was in
22 interviewing those individuals. The only thing that I know
23 is that the question was asked, did you tell James to fire
24 these individuals.

25 Q. Who asked that question?

1 A. I did.

2 Q. And what was his response?

3 A. I never told James that.

4 Q. So his response to you was that he never told James
5 that?

6 A. Correct.

7 Q. When did the management committee meetings take
8 place?

9 A. Between August 12th and September 20th.

10 Q. Let me show you what I think now would be Exhibit
11 No. 10.

12 (Jeffress Deposition Exhibit No. 10 marked for
13 identification.)

14 A. Okay.

15 Q. Can you tell us what Exhibit No. 10 is.

16 A. Exhibit No. 10 is Booker T. Washington Board
17 management committee minutes.

18 Q. What date is on Exhibit 10?

19 A. September 3, 2002.

20 Q. Who prepared these notes?

21 A. It looks -- these look like notes that I would have
22 prepared.

23 Q. Did you prepare it?

24 A. These look like notes that I would have prepared,
25 yes.

C E R T I F I C A T I O N

I, Sondra A. Black, a Court Reporter and Notary Public in and for the Commonwealth of Pennsylvania, do hereby certify that the foregoing is a true and accurate transcript of my stenographic notes in the above-captioned matter.

Sondra A Black

Dated:

August 12, 2005

Sondra A. Black, Notary Public
Waterford Twp., Erie County
My Commission Expires Aug. 22, 2005
Member, Pennsylvania Association of Notaries